



# CITY OF FREMONT NEBRASKA

## SPECIAL & REGULAR CITY COUNCIL MEETING MINUTES

July 13, 2021 - 7:00 PM

City Council Chambers 400 East Military, Fremont NE

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### SPECIAL CITY COUNCIL MEETING MINUTES

7:00 PM

**MEETING CALLED TO ORDER** Mayor Spellerberg called the Special Council Meeting to order and stated that a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas.

**ROLL CALL** Roll call showed Council Members Gibson, Ellis, Ganem, Yerger, Sookram, Legband, and Kuhns present. Jensen absent. 7 members present.

1. Large Project Discussion, Part II of Biennial Budget Discussion. No action was taken.

**ADJOURNMENT** Motion made by Gibson, seconded by Legband to adjourn; time: 7:01 P.M.  
Voting Yea: Yerger, Ellis, Gibson, Legband, Ganem, Sookram, Kuhns. Motion carried.

### CITY COUNCIL REGULAR MEETING MINUTES

7:00 PM – Following the preceding Meeting

**MEETING CALLED TO ORDER** Following the Pledge of Allegiance, Mayor Spellerberg called the Council Meeting to order and stated that a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas.

**ROLL CALL** Roll call showed Council Members Gibson, Ellis, Ganem, Yerger, Sookram, Legband, and Kuhns present. Jensen absent. 7 members present.

#### **MAYOR COMMENTS**

*(There will be no discussion from the Council or the public regarding comments made by the Mayor. Should anyone have questions regarding the comments, please contact the Mayor after the meeting)*

1. Motion to adopt current agenda for the July 13, 2021 Regular Meeting. Motion made by Ganem, Seconded by Legband to adopt current agenda for the July 13, 2021 Regular Meeting. Voting Yea: Yerger, Ellis, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.

## **PUBLIC HEARINGS:**

2. Resolution 2021-092 for a Class C Liquor License for Ortiz's Bars, LLC dba Los Mezcales, 210 N. Main Street. Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing after receiving comments from the public. Motion made by Ganem, Seconded by Kuhns to approve Resolution 2021-092 for a Class C Liquor License for Ortiz's Bars, LLC dba Los Mezcales, 210 N. Main Street. Voting Yea: Yerger, Ellis, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.

**CONSENT AGENDA:** All items in the consent agenda are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member or a citizen so requests, in which event the item will be removed from the consent agenda and considered separately. Motion made by Gibson, seconded by Legband to approve consent agenda items 3-6, 8, and 10-11. Voting Yea: Yerger, Ellis, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.

3. Motion to approve June 30, 2021 through July 13, 2021 claims and authorize checks to be drawn on the proper accounts
4. Motion to receive Report of the Treasury
5. Dispense with and approve June 29, 2021 Regular City Council and June 29, 2021 Special City Council Meeting Minutes
6. Resolution 2021-093 approving the request of Mollie Anderson on behalf of 1971 Class Reunion Committee to close City Parking Lot (Opera House) and authorize Special Designated License on August 21, 2021
7. Motion to approve concrete license applications for Concrete Modality and Zarate Construction. Motion made by Kuhns, Seconded by Sookram to approve concrete license applications for Concrete Modality and Zarate Construction. Voting Yea: Yerger, Ellis, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.
8. Motion to approve the recommendation of the Mayor to reappoint Bill Dugan and Eric Johnson to terms ending June 2024 to the Airport Advisory Committee
9. Motion to authorize the Mayor to sign Amendment #1 for the MS4 Program Support Agreement with Felsburg Holt and Ullevig. Motion made by Yerger, Seconded by Ellis to receive Resolution 2021-098 into the record. Voting Yea: Yerger, Ellis, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried. Motion made by Yerger, seconded by Legband to approve Resolution 2021-098. Voting Yea: Yerger, Ellis, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.
10. Resolution 2021-094 authorizing mayor to sign street closure agreement with Main Street Fremont for Summer Fest Event
11. Resolution 2021-095 authorizing Mayor to sign Street Closure Agreement with Run Nebraska LLC, for their 3rd Annual White Light Mile (1-mile road race)

**UNFINISHED BUSINESS:** Requires individual associated action

12. Council Member Ellis item - Ordinance 5578 restricting parking near mailboxes (second reading). Motion made by Yerger, Seconded by Legband to amend Ordinance 5578 to add curbside ahead of mailbox. Voting Yea: Yerger, Ellis, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried. Motion made by Yerger, Seconded by Legband to hold second reading of the Ordinance. Voting Yea: Yerger, Ellis, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.

**NEW BUSINESS:** Requires individual associated action

13. Motion authorizing the Mayor to sign construction contract with M.E. Collins for Johnson Road South UPRR Crossing Improvements. Motion made by Yerger, Seconded by Ellis to receive Resolution 2021-099 into the record. Voting Yea: Yerger, Ellis, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried. Motion made by Yerger, Seconded by Ganem to approve Resolution 2021-099. Voting Yea: Yerger, Ellis, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.
14. Resolution 2021-096 approving the closure of 5th Street between Main Street, West and the alley at the request of Lund-Ross Constructors Inc., for demolition work to the 505 Building. Motion made by Yerger, Seconded by Legband to amend the first Whereas statement and the Now Therefore statement to read: "to temporarily close 5th Street and restrict two parking stalls on Main Street and sidewalks, and 5th Street from Main Street west to the alley including sidewalks". Voting Yea: Yerger, Ellis, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried. Motion made by Yerger, Seconded by Sookram to approve Resolution 2021-096 as amended. Voting Yea: Yerger, Ellis, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.
15. Motion to authorize the Mayor to sign contract with Southern Environmental, Inc. for Lon D. Wright (LDW) Coal Handling Modifications. Motion made by Yerger, Seconded by Ellis to receive Resolution 2021-100 into the record. Voting Yea: Yerger, Ellis, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried. Motion made by Yerger, Seconded by Ganem to approve Resolution 2021-100. Voting Yea: Yerger, Ellis, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.
16. Motion to approve the recommendation of the Mayor to appoint three City Council members to the City-County Joint Redistricting Committee. Motion made by Yerger, Seconded by Legband to appoint Council Members Ganem, Kuhns and Sookram to the City-County Joint Redistricting Committee. Voting Yea: Yerger, Ellis, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.
17. Closed session to discuss potential property purchase and strategy session with respect to collective bargaining. Moved by Gibson, seconded by Legband to go into executive session to discuss potential property purchase and strategy session with respect to collective bargaining and for the further reason that the executive session is necessary for the protection of the public interest and asked for discussion. The Mayor stated that the pending motion was to go into executive session for potential property purchase and strategy session with respect to collective bargaining and for the further reason that the executive session is necessary for the protection of the public interest. Voting Yea: Gibson, Ganem, Sookram, Yerger, Ellis, Legband and Kuhns. Motion carried. The Mayor stated that the motion to go into executive session for discussing potential property purchase and strategy session with respect to collective bargaining and for the further reason that the executive session is necessary for the protection of the public interest had been approved. Discussion will be limited to discussing potential property purchase and

strategy session with respect to collective bargaining. No official actions or votes will be taken during the executive session. Time in: 7:57 p.m. Moved by Gibson, seconded by Sookram to come out of executive session where no official actions or votes were taken. Voting Yea: Yerger, Ellis, Gibson, Legband, Sookram, Ganem, Kuhns. Motion carried. Time out: 8:50 p.m.

18. Resolution 2021-097 to authorize City staff to make purchase of property located at 230 West 9th Street. Motion made by Yerger, Seconded by Legband to receive purchase agreement into the record. Voting Yea: Yerger, Ellis, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried. Motion made by Yerger, Seconded by Legband to approve Resolution 2021-097 with the blank in the first whereas statement to include the price of \$120,000.00. Voting Yea: Yerger, Ellis, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.

Without objection from Council, Mayor Spellerberg referred back to item 12 of the agenda, and City Clerk provided second reading of the amended Ordinance 5578.

**ADJOURNMENT** Motion made by Sookram, seconded by Gibson to adjourn; time: 8:56 P.M. Voting Yea: Yerger, Ellis, Gibson, Legband, Ganem, Sookram, Kuhns. Motion carried.

Agenda posted at the Municipal Building on July 7, 2021 and online at [www.fremontne.gov](http://www.fremontne.gov). Agenda distributed to the Mayor and City Council on July 7, 2021. This meeting is preceded by publicized notice in the Fremont Tribune on the last Thursday of the preceding month and the agenda, including any notice of study session or public hearing, is displayed in the Municipal Building and is open to the public. The official current copy is available at City Hall, 400 East Military, City Clerk's Office. The City Council reserves the right to go into Executive Session at any time. A copy of the Open Meeting Law is posted in the City Council Chambers for review by the public. The City of Fremont reserves the right to adjust the order of items on the agenda.

APPROVED AND ACCEPTED AS THE OFFICIAL COPY OF THE FREMONT, NEBRASKA Special & Regular City Council Meeting Minutes for July 13, 2021.

  
Tyler Ficken, City Clerk

  
Joey Spellerberg, Mayor